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Attorneys for Third Party Defendant and
Counterclaimant PREFERRED COMMERCE, INC.

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

DAVID JOHNSON,

Plaintiff,

vs.

ANOUSHEN AFJEI and ARIA AFJEI,

Defendants.

AND RELATED THIRD PARTY
CLAIMS

Case No.: C 09-3082 SBA

STIPULATION OF DISMISSAL; ORDER

The defendants, Anoushen and Aria Afjei, and the Third Party Cross-Defendant, Preferred Commerce, Inc., dba La Tapatia Restaurant, by and through its counsel, Phillip G. Vermont of Randick O'Dea & Tooliatos, LLP, stipulate as follows:

IT IS HEREBY STIPULATED by and between the parties to this stipulation, the Afjei's (in pro per) and Preferred Commerce, Inc., through its counsel, that the third party action be and hereby is dismissed without prejudice pursuant to F.R.C.P. §41(a)(2). All claims between the

Afjei's and Preferred Commerce, Inc., dba La Tapatia Restaurant, are preserved.

Date: July 15, 2010

RANDICK O'DEA & TOOLIATOS, LLP

By: _____
Phillip G. Vermont
Attorneys for Third Party Defendant
PREFERRED COMMERCE, INC.

Date: _____


ANOUSHEN AFJEI

Date: _____

ARIA AFJEI

IT IS SO ORDERED.

Dated: _7/27/10



SAUNDRA BROWN ARMSTRONG
United States District Judge

1 UNITED STATES DISTRICT COURT
2 FOR THE
3 NORTHERN DISTRICT OF CALIFORNIA

4 DAVID JOHNSON,
5
6 Plaintiff,

7 v.

8 ANOUSHEN AJFEI et al,
9
10 Defendant.

Case Number: CV09-03082 SBA

CERTIFICATE OF SERVICE

11
12 I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District
13 Court, Northern District of California.

14 That on July 27, 2010, I SERVED a true and correct copy(ies) of the attached, by placing said
15 copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing
16 said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery
17 receptacle located in the Clerk's office.

18 Anoushen Afjei
19 86 Waterside Circle
20 Redwood Shores, CA 94065

21 Aria Afjei
22 86 Waterside Circle
23 Redwood Shores, CA 94065

24 Dated: July 27, 2010

25 Richard W. Wieking, Clerk
26 By: LISA R CLARK, Deputy Clerk
27
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